



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

NOV 06 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL # 70091680000076778541
RETURN RECEIPT REQUESTED

Mr. Stan Pauls
Environmental Health and Safety Manager
Dura Supreme Cabinetry, Incorporated
300 Dura Drive
Howard Lake, Minnesota 55349

Re: Notice of Violation
Compliance Evaluation Inspection
MND006454854

Dear Mr. Pauls:

On July 29, 2014 a representative of the U.S. Environmental Protection Agency" inspected the Dura Supreme Cabinetry, Incorporated facility located in Howard Lake, Minnesota (Dura Supreme). As a large quantity generator of hazardous waste, Dura Supreme is subject to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq.* (RCRA). The purpose of the inspection was to evaluate Dura Supreme's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste. We thank you and your employees for everyone's cooperation during the inspection. A copy of the inspection report is enclosed for your reference.

Permit Exclusion Conditions: Based on information provided by Dura Supreme, EPA's review of records pertaining to Dura Supreme, and the inspector's observations, EPA has determined that Dura Supreme has stored hazardous waste without a permit or interim status as a result of Dura Supreme's failure to comply with certain conditions for a permit exemption under Minn. R. 7045.0292 subparts 1, 2, 7 and 8 [40 C.F.R. § 262.34(a)-(c)]. EPA has identified the permit exemption conditions with which Dura Supreme was out of compliance at the time of the inspection in paragraphs 1- 4, below.

1. Under Minn. R. subparts 7045.0292(8)(B)(1) and 7045.0626(4) [40 C.F.R. §§ 262.34(c)(1)(ii) and 265.173(a)], a large quantity generator who accumulates as much as 55 gallons of hazardous waste in containers at or near any point of generation must keep the container closed except when it is necessary to add or remove waste.

At the time of the inspection, Dura Supreme had a container at a point of generation that was accumulating waste paint from used cans of paint; waste paint was not being added or removed from the container, but the container was not closed.

2. Under Minn. R. subpart 7045.0292(8)(B)(2) [40 C.F.R. § 262.34(c)(1)(ii)], a large quantity generator who accumulates as much as 55 gallons of hazardous waste in containers at or near any point of generation must clearly label each container with the words, "Hazardous Waste" and a description that clearly identifies its contents to employees and emergency personnel.

At the time of the inspection, Dura Supreme had a container at a point of generation that was not labeled or marked with the words, "Hazardous Waste" or with the contents of the container.

3. Under Minn. R. subparts 7045.0292(1)(I) and 7045.0466 [40 C.F.R. § 262.34(a)(4) and 265.52], a large quantity generator who accumulates hazardous waste must have a contingency plan which contains the following:

A description of arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services.

A list of all emergency equipment at the facility such as fire extinguishing systems, spill control equipment, internal and external communications and alarm systems, and decontamination equipment, where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.

An evacuation plan for facility personnel where there is a possibility that evacuation could be necessary.

At the time of the inspection, Dura Supreme was unable to provide in response to a request:

- a. A description of arrangements agreed to by local police departments, fire departments, hospitals, contractors, and state and local emergency response teams to coordinate emergency services within the contingency plan.
 - b. A list of all emergency equipment at the facility with the equipment's respective location and a physical description of each item on the list and a brief outline of its capabilities.
 - c. An evacuation plan for facility personnel
4. A large quantity generator of hazardous waste must have a program of classroom instruction or on-the-job training that teaches facility personnel to perform their duties in

a way that ensures the facility's compliance with requirements of RCRA. This program must be directed by a person trained in hazardous waste management procedures, and must include instruction that teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. See Minn. R. subparts 7045.0292(1)(G) and 7045.0558(3) [40 C.F.R. §§ 262.34(a)(4) and 265.16(a)]. Facility personnel must successfully complete this training program within six months after the date of their employment or assignment to a facility or to a new position at a facility, and must take part in an annual review of this initial training thereafter. See Minn. R. subparts 7045.0292(1)(G) and 7045.0558(4) and (5) [40 C.F.R. §§ 262.34(a)(4) and 265.16(b) and (c)].

With respect to this training program, a large quantity generator must maintain the following documents and records at its facility:

A written job description for each position at the facility related to hazardous waste management;

A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position at the facility related to hazardous waste management; and

Records that document that the training or job experience described above has been given to and completed by facility personnel. See Minn. R. subparts 7045.0292(1)(G) and 7045.0558(6). [40 C.F.R. §§ 262.34(a)(4) and 265.16(d)].

At the time of the inspection, Dura Supreme did not have and was unable to provide in response to a request:

- a. A job description for the Environmental Health and Safety Manager.
- b. At the time of the inspection, Dura Supreme was unable to provide a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position at the facility related to hazardous waste management.
- c. At the time of the inspection, the job description for Inventory Control Technician did not include the position's hazardous waste duties and responsibilities.
- d. At the time of the inspection, Dura Supreme was unable to provide records that document that the training or job experience for all personnel with hazardous waste management duties from the time of the employees hire or assignment to a position with hazardous waste management responsibilities.

By failing to comply with the conditions for a permit exemption, above, Dura Supreme became an operator of a hazardous waste storage facility, and was required to obtain a Minnesota hazardous waste storage permit. Dura Supreme failed to apply for such a permit. Dura

Supreme's failure to apply for and obtain a hazardous waste storage permit violated the requirements of Minn. R. Parts 7001.0030 and 7001.0050 [40 C.F.R. §§ 270.1(c), and 270.10(a) and (d)]. Any failure to comply with a permit exemption conditions incorporated from Minn. R. 7045.0552 is also an independent violation of the corresponding 7045.0450 TSD requirement.

At this time, EPA is not requiring Dura Supreme to apply for a Minnesota hazardous waste storage permit so long as it immediately establishes compliance with the conditions for a permit exemption outlined in paragraphs 1 – 4, above.

Finally, EPA has determined that Dura Supreme violated RCRA requirements related to used oil and universal waste, as described in paragraphs 5 and 6, below.

5. Used Oil: Under Minn. R. subpart 7045.0855(2)(C) [40 C.F.R. § 279.22(c)(1)], containers and aboveground tanks used to store used oil at generator facilities must be labeled or marked clearly with the words "Used Oil."

At the time of the inspection, at least three 55-gallon containers of used oil, located in Dura Supreme's storage areas, were not labeled with the words, "Used Oil."

6. Universal Wastes:

- a. Under Minn. R. subpart 7045.1400(1) [40 C.F.R. §§ 273.13(d) or 273.33(d)], containers holding universal waste – lamps must remain closed.

At the time of the inspection, Dura Supreme had one box of universal waste – lamps that was not closed.

- b. Under Minn. R. subpart 7045.1400(1) [40 C.F.R. §§ 273.14(e) or 273.34(e)], containers holding universal waste – lamps must be labeled or marked with one of the following phrases: "Universal Waste – Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

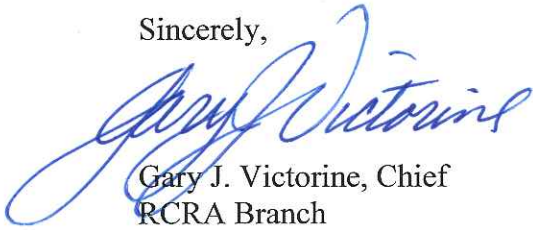
At the time of the inspection, Dura Supreme had one box of universal waste – lamps that was not labeled or marked with one of the following phrases: "Universal Waste – Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)."

- c. Under Minn. R. subpart 7045.1400(1) [40 C.F.R. §§ 273.14(a) or 273.34(a)], universal waste batteries (i.e., each battery), or a container in which the batteries are contained, must be labeled or marked with any one of the following phrases: "Universal Waste – Battery(ies)," or "Waste Battery(ies)," or Used Battery(ies).

At the time of the inspection, Dura Supreme had four used batteries that were not marked or labeled, or in a container that was marked or labeled, with any one of the following phrases: "Universal Waste – Battery(ies)," or "Waste Battery(ies)," or Used Battery(ies).

According to Section 3008(a) of RCRA, EPA may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both. Although this letter is not such an order or a request for information under Section 3007 of RCRA, 42 U.S.C. § 6927, we request that you submit a response in writing to us no later than 30 days after receipt of this letter documenting the actions, if any, which you have taken since the inspection to establish compliance with the above conditions and universal waste and used oil requirements. You should submit your response to Daniel Chachakis, U.S. EPA, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604.

Sincerely,



Gary J. Victorine, Chief
RCRA Branch

Enclosure

cc: John Elling, MPCA, john.elling@pca.state.mn.us



U. S. Environmental Protection Agency
Region 5, Land and Chemicals Division
RCRA Branch
77 West Jackson Boulevard
Chicago, Illinois 60604

RCRA COMPLIANCE EVALUATION INSPECTION REPORT

SITE NAME: Dura Supreme, Incorporated


EPA ID NUMBER: MND006454854

ADDRESS: 300 Dura Drive
Howard Lake, Minnesota 55349

DATE OF INSPECTION: July 29, 2014

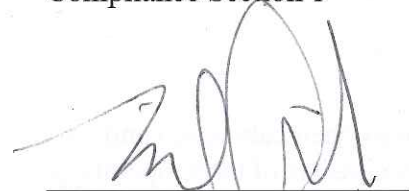
EPA INSPECTOR: Daniel F. Chachakis
Environmental Protection Specialist

PREPARED BY:


Daniel F. Chachakis, EPS
Compliance Section 1

08/21/2014
Date

ACCEPTED BY:


Michael Cunningham, Chief
Compliance Section 1

8/21/14
Date

Purpose of Inspection

This inspection was an evaluation of the Dura Supreme, Incorporated's compliance with hazardous waste, used oil and universal waste regulations found at Minnesota Administrative Rules Chapter 7045 and the Code of Federal Regulations (CFR). The inspection was an EPA lead Resource Conservation and Recovery Act (RCRA) compliance evaluation inspection (CEI). The site notified as a large quantity generator (LQG).

Participants

Inspector:

Daniel F. Chachakis, EPS, EPA

Site Representative:

Stan Pauls, Environmental Health and Safety Manager, Dura Supreme, Inc.

Introduction

I arrived at the site at approximately 9:00 am on July 29, 2014. I introduced myself and presented my inspector credentials to the secretary at the door, and again later to Stan Pauls from Dura Supreme. Stan Pauls and I moved to a conference room where we exchanged business cards. I described the purpose and process by which I intended to conduct the inspection. Mr. Pauls provided me with a description of the site operations, led the tour, and provided me with the records I requested for review.

I provided a Small Business Resources information sheet and the Minnesota Technical Assistance Program brochure to Mr. Pauls. We discussed for the site tour the following safety equipment was recommended or required: safety glasses and hearing protection.

I informed Mr. Pauls that Dura Supreme, Inc., could claim any information gathered during the inspection as Confidential Business information including: verbal information, documents and photographs. Mr. Pauls did not make a CBI claim on the information gathered during the inspection.

Site Description

Dura Supreme, Inc., makes custom kitchen cabinets, vanities, fireplace surrounds, and other wood related products. The facility consists of three operational lines, with approximately 405 employees working in two shifts: a main shift and a second shift of approximately 20 workers. Dura Supreme operates another facility in Perez, MN, where workers rough mill wood in preparation for use at the Howard Lake facility.

The site generates hazardous waste, used oil and universal waste lamps and batteries. The site accumulates its waste in 55-gallon drums, and has one less-than 90 day hazardous waste storage area and at least three satellite hazardous waste accumulation areas. Hazardous wastes include spent paint and solvents. The facility ships hazardous wastes to WRR Environmental Services, a RCRA-permitted treatment, storage and disposal facility, roughly on a weekly basis. Other wastes include used bulbs, used oil, and occasionally used batteries. There are no hazardous

waste storage tanks onsite. There are approximately five workers responsible for hazardous waste management at the facility.

The site has a Title V air permit. Waste dust from the air treatment system, consisting mostly of wood material, is accumulated and sold to farmers as ground cover for cow management facilities.

The facility does not have a wastewater pretreatment system.

Site Tour

I observed facility operations including: satellite accumulation areas, the less-than 90-day accumulation containers, solid waste areas, product storage areas, used oil storage, universal waste accumulation, and emergency equipment. I took photographs of the various facility operations, waste operations, and waste storage/accumulation areas during the site tour. Mr. Pauls was my escort for the site tour.

Mr. Pauls stated the facility uses solid wood on one side of the product line, and particle board and plywood on the other.

I observed, and took a picture of, the wood storage in the production area (Picture 1)



I observed a woodworking bench with a saw-stop capability: Mr. Pauls stated that the saw-stop consists of a microprocessor that stops the saw if contact with skin occurs. The blade stops in a nanosecond.

I observed, and took a picture of, a custom cabinet production area (Picture 2).



Picture #: 2
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Production area

DSCN0909

I observed, and took a picture of, Assembly Area 1 hang line (Picture 3).

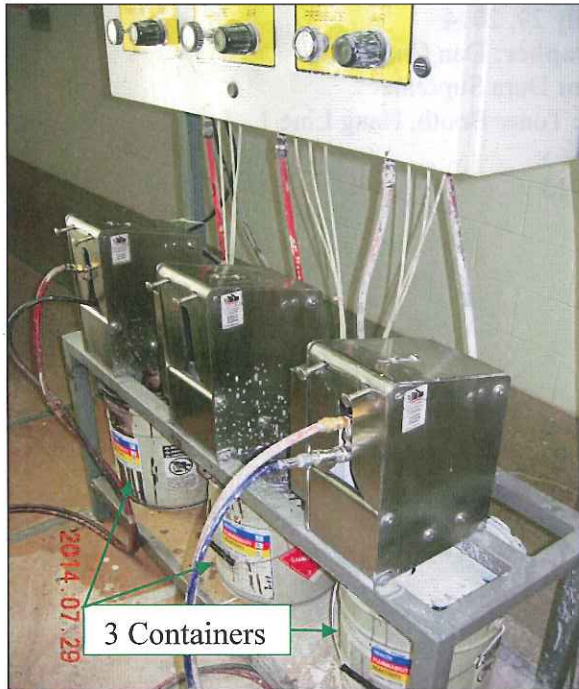


Picture #: 3
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Hang line

DSCN0910

We moved to a staining / paint booth, "Toner Booth." I observed, and took a picture of, three containers of "Gun Flush" (Picture 4). Mr. Pauls stated that the material in the three containers

consist of over 50% solvent and can still be used by the facility, and therefore is not a waste at that point.



Picture #: 4
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Toner Booth, three containers

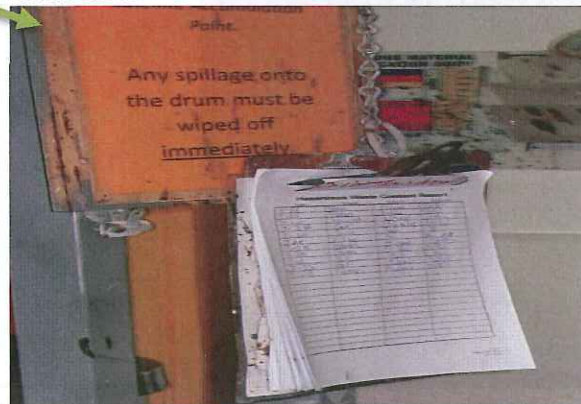
DSCN0911

I observed, and took a picture of, a satellite accumulation container at a satellite accumulation point. I observed that there was a tracking document at the container location with the estimated quantity of material in the container. I observed that the container did not have a label or marking with the words, "Hazardous Waste" or a description of the contents of the container.



Picture #: 5
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Satellite accumulation container

DSCN0912



I observed, and took a picture of, a toner booth for hang line 1 (Picture 6).



Picture #: 6
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Toner Booth, Hang Line 1

DSCN0913

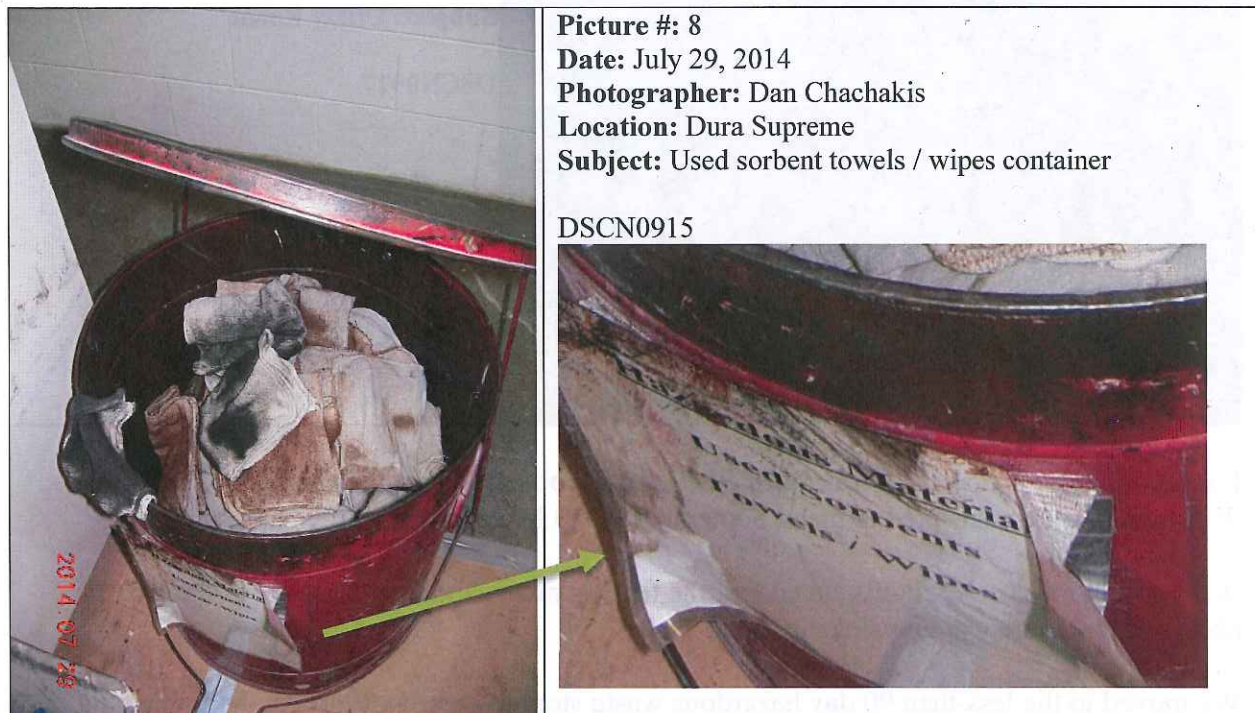
I observed, and took a picture of, hang line 2 stain paint booth (Picture 7).



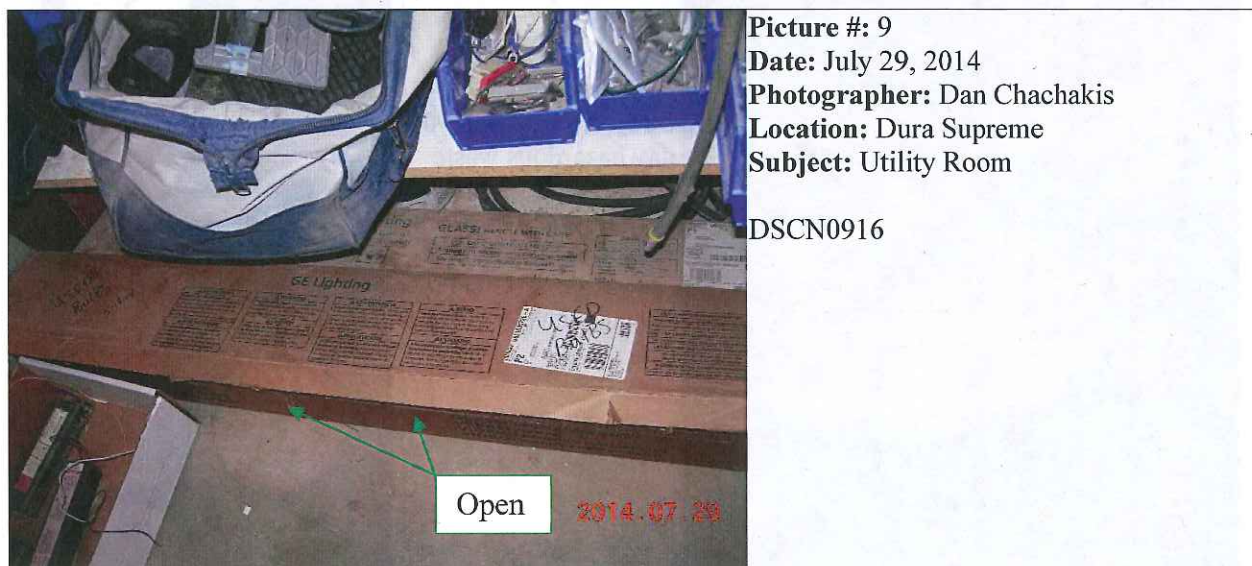
Picture #: 7
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Stain Paint Booth, Hang Line 2

DSCN0914

I observed, and took a picture of, a used sorbents towels / wipes hazardous materials sign (Picture 8). Mr. Pauls stated the towels / wipes are not dripping, and are laundered by a service for reuse. We opened the container to observe what was inside.



We entered the Utility Room. I observed, and took a picture of, used bulb storage (Pictures 9 and 10). I observed, the presence of two long boxes of used bulbs, one of which that was not closed.





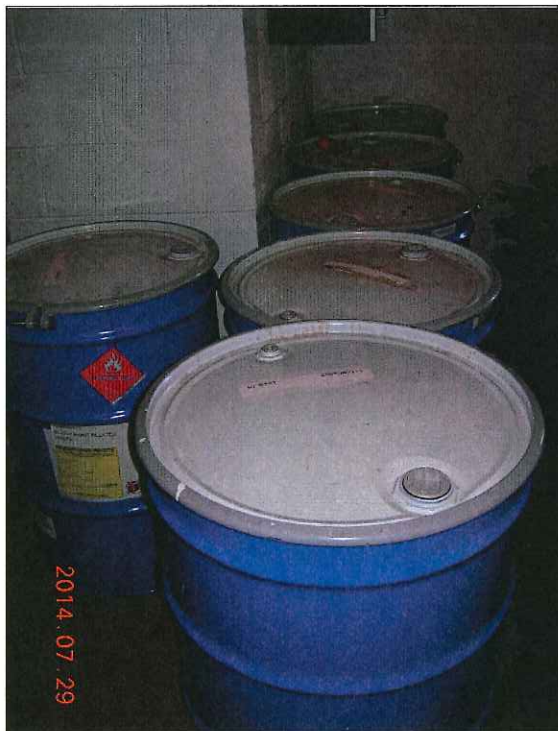
Picture #: 10
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Utility Room

DSCN0917

I observed that the open box was dated 5/19/2014. I observed that the closed box was dated 9/13, which was interrupted to mean September, 2013 by myself and Mr. Pauls.

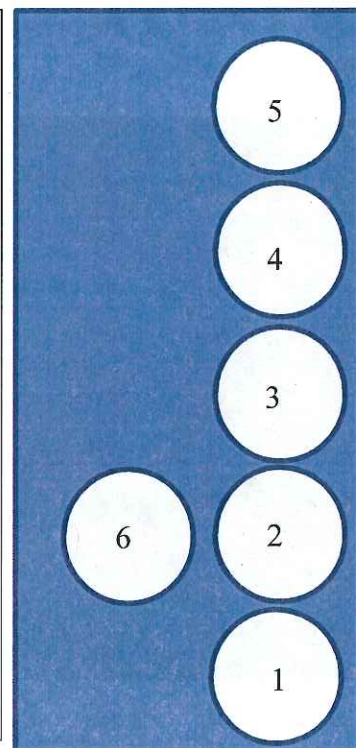
We moved to a lab. Mr. Pauls stated that the facility mixes and blends colors in the lab. I observed that there were no sinks in the lab.

We moved to the less-than 90 day hazardous waste storage area. I observed, diagramed, recorded information from, and took a picture of, six containers in this area (Picture 11).



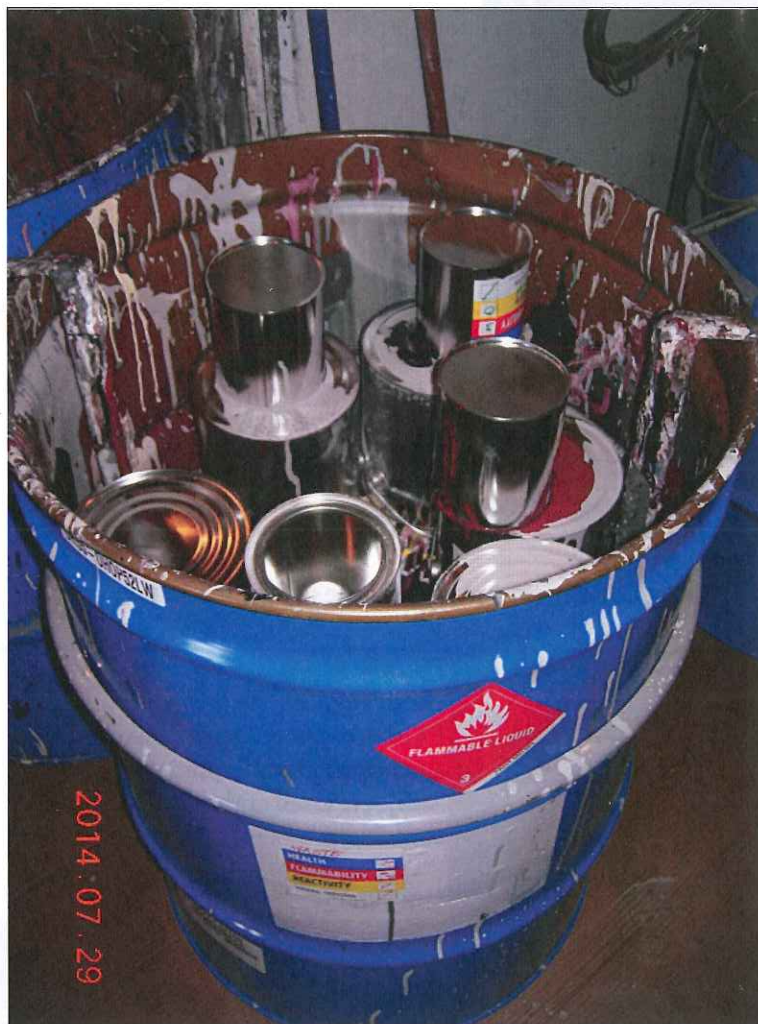
Picture #: 11
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Less than 90 day hazardous waste storage area

DSCN0918



| | | | | |
|---|-----------------------------|---------|------------|---------------------------|
| 1 | Hazardous Waste Label - Yes | 7-28-14 | D001, F003 | Waste paint related waste |
| 2 | Hazardous Waste Label - Yes | 7-28-14 | D001, F003 | Waste paint related waste |
| 3 | Hazardous Waste Label - Yes | 7-28-14 | D001, F003 | Waste paint related waste |
| 4 | Hazardous Waste Label - Yes | 7-24-14 | D001, F003 | Waste paint related waste |
| 5 | Hazardous Waste Label - Yes | 7-23-14 | D001, F003 | Waste paint related waste |
| 6 | Hazardous Waste Label - Yes | 7-28-14 | D001, F003 | Waste paint related waste |

I observed, and took a picture of, a paint can drain accumulation container (Picture 12).



Picture #: 12
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Waste paint accumulation container

DSCN0919

I observed, and took a picture of, a weekly inspection log (Picture 13).

Picture #: 13
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Weekly inspection log

DSCN0920

I developed a list of hazardous waste workers with Mr. Pauls:

| | |
|--------------|--------------|
| Adam Mattson | Wade Persons |
| Dale Skuza | Jody Winkle |
| Stan Pauls | |

I observed, and took a picture of, used sorbent containers, towels / wipes (Picture 14).



Picture #: 14
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Used sorbent towels / wipes containers

DSCN0921



I observed, and took a picture of, a furniture assembly area (Picture 15).



Picture #: 15
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Furniture Assembly Area

DSCN0922

I observed, and took a picture of, a satellite accumulation container on the tow line (Picture 16). I observed that the container had a hazardous waste label, and was marked with the words, "D001, F003", and "Paint Related Waste."



Picture #: 16
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Satellite container

DSCN0923



We moved outside to the storage buildings. We entered the incoming wood warehouse. I observed, and took a picture of, the inside of the warehouse (Picture 17).



Picture #: 17
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Incoming wood warehouse

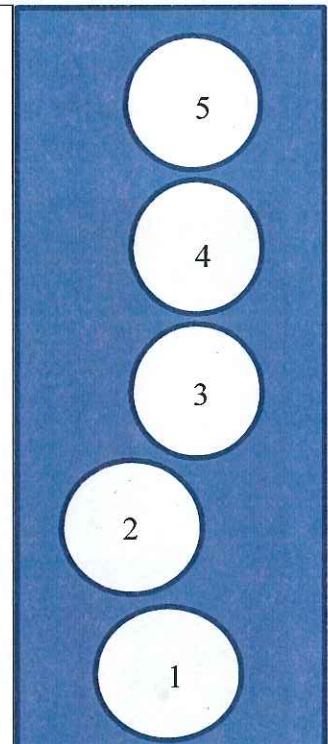
DSCN0924

I observed, and took a picture of, and recorded information from used oil containers (Picture 18).



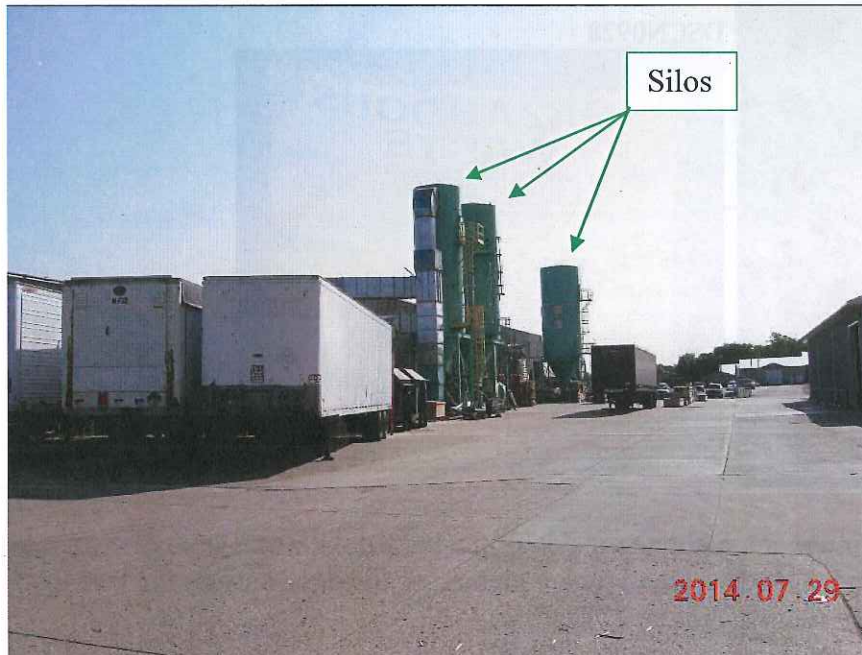
Picture #: 18
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Used oil containers

DSCN0925



| | | |
|---|------------------|---|
| 1 | Empty | NA |
| 2 | Used oil filters | Label |
| 3 | Used oil | No labels or markings identifying the contents of the container |
| 4 | Used oil | No labels or markings identifying the contents of the container |
| 5 | Used oil | No labels or markings identifying the contents of the container |

We moved back outside, where I observed the air / dust collection silos (Picture 19). I observed, and took a picture of, trailers in place to collect the dust (Picture 20). Mr. Pauls stated that the facility sells the collected dust as “cattle bedding” for farmers.



Picture #: 19
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Air dust collection silos

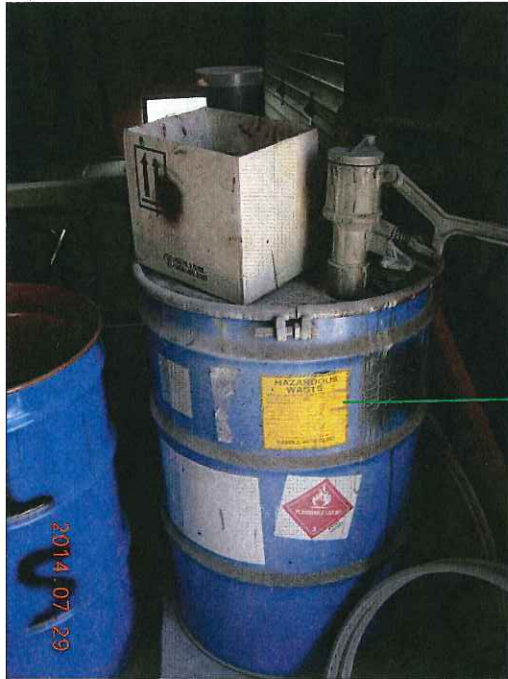
DSCN0926



Picture #: 20
Date: July 29, 2014
Photographer: Dan Chachakis
Location: Dura Supreme
Subject: Air dust collection silos

DSCN0927

We moved back inside to the maintenance area. I observed, and took a picture of, an aerosol can puncture device with a collection container (Picture 21). I observed, that the collection container had a hazardous waste label, and was marked with the words, "F003 / D001" and "Waste Paint Related Material."



Picture #: 21

Date: July 29, 2014

Photographer: Dan Chachakis

Location: Dura Supreme

Subject: Can Puncture device with accumulation container

DSCN0928



I observed the presence of an intercom, a phone outside of the hazardous waste storage area, and fire extinguishers in the facility. I observed, and took a picture of, the door outside the less-than 90-day hazardous waste storage room "(Picture 22).



Picture #: 22

Date: July 29, 2014

Photographer: Dan Chachakis

Location: Dura Supreme

Subject: Door to the less-than 90-day hazardous waste storage area

DSCN0929

We moved to the conference room for the records review.

Records Review

I reviewed waste profiles/characterizations, waste analysis records, manifests, land disposal restriction notifications (LDR), weekly container inspection logs, and the contingency plan. I completed a LQG checklist during the records review, *see* Attachment A.

Waste Analyses: I reviewed and recorded information from the following waste determination documents.

- 2005080111-RR560 Paint Related Material: 5/9/2014, 5/16/2014, 5/23/2014; others available. Others available, one per shipment. No lead or other metals in waste paint; 50 to 85% volatile.
- Mr. Pauls stated the spent solvent is recovered and burnt as fuel.
- SR101063MN Spray booth paint filters, wipes and floor sweepings, nonhazardous waste. Mr. Pauls stated the material is disposed at the Spruce Ridge Landfill. Made up of:
 - Paper finish filters containing dried stain or paint; 70 to 85%.
 - Paper wipes containing dried stain or paint; 1 to 5%.
 - Floor sweepings containing dried stain or paint; 10 to 20%.
 - Lab analysis, sample from 6/6/2012:
 - TCLP metals (RCRA-8)
 - TCLP volatiles
- Profile SR0601030233, no longer in use, spray booth filters.

Contingency Plan: I reviewed and recorded the following information from the contingency plan and its supporting documents.

- “Dura Supreme, Inc., Contingency and Emergency Plan Procedures,” signed 12/18/08, with additional versions in 2006 and 2007.
- Emergency coordinators: Stan Pauls, Rick Dixon, and Dan Knuston, all still with the facility.
- The 2006 version was acknowledged by the Howard Lake Fire Department, Buffalo Hospital, and Howard Lake Police Department, by letter from each respective agency.
- There was no description of emergency response equipment with capabilities.
- There was no description of what the police or fire department would do onsite.
- There was no description of the capability of the hospital.

- There was no description of the emergency response team responsibilities and training requirements.
- There was no evacuation plan in the document, and the plan did not refer to any other document for an evacuation plan.

Manifests: I reviewed the facility manifests. I recorded that:

- LDRs were present with the manifests
- Manifests were available from the years 2010 to 2014.
- Transporter: Nexeo Solutions, OHR000162800
- TSDF: WRR Environmental Services, WID990829475
- Signer as the facility representative in 2014: Adam Mattson

| | | | | | |
|--------------|-------|------------------------|------------|---------------------------|---|
| 006121815FLE | 12 DM | 4800 P D001/F003 | 07/24/2014 | Open, within timeframe | |
| 007715216FLE | 13 DM | 5,200 [P] D001/F003 | 07/16/2014 | 7/15/2014 | - Missing unit volume designation - Date mismatch |
| 006121691FLE | 13 DM | 5,200 P D001/F003 | 07/09/2014 | 07/10/2014 | |
| 006121690FLE | 10 DM | 4,000 P D001/F003 | 06/25/2015 | 06/27/2014 | |
| 006121689FLE | 10 DM | 4,000 P D001/F003 | 06/18/2014 | 06/27/2014 | |
| 006121688FLE | 11 DM | 4,400 P D001/F003 | 06/11/2014 | 06/20/2014 | |
| 006121002FLE | 6 DM | 2,400 P D001/F003 | 06/04/2014 | 04/06/2014 | |
| 006121602FLE | 6 DM | 2,400 P D001/F003 | 05/28/2014 | 05/30/2014 | |
| 006121601FLE | 12 DM | 4,800 P D001/F003 | 05/21/2014 | 05/23/2014 | |
| 006121600FLE | 13 DM | 5,200 P D001/F003 | 05/14/2014 | 05/16/2014 | |
| 006121582FLE | 14 DM | 5,600 P D001/F003 | 05/07/2014 | 05/09/2015 | |
| 006121547FLE | 13 DM | 5,200 P D001/F003 | 04/30/2014 | 05/02/2014 | |

| | | | |
|--------------|--------------|--------------|--------------|
| 006121546FLE | 006121424FLE | 006121514FLE | 006121345FLE |
| 006121480FLE | 006121375FLE | 006121479FLE | 006121344FLE |
| 006121426FLE | 006121311FLE | 006121425FLE | 006121275FLE |
| 006121243FLE | 006121231FLE | 006121299FLE | 006121198FLE |

2012 and 2013:

- Generator Signature: Nathan Drusch; signed approximately 25 manifests from January 2013 through June 2013, including 003484784FLE.
- Generator Signature: Wade Person, signed approximately one manifest on 12/05/2012 – 003485404FLE
- Generator Signature: Stan Pauls, signed on manifest on 10/03/2012 – 003481852FLE

Training Program and Records: I reviewed the facility hazardous waste training program and supporting records, and recorded the following.

- At the time of the inspection, the facility was unable to show that training occurred within six months of hire or placement in a position responsible for hazardous waste management.
- At the time of the inspection, the facility was unable to provide job description and hazardous waste management responsibilities for the position of Environmental Health and Safety Manager.
- At the time of the inspection, the Paint Prep and Inventory Control Tech position was missing hazardous waste management responsibilities; recommended including a phrase such as - Manage the hazardous waste less-than 90-day storage area.
- Personnel records information:

| Name | Job Title | Duties | Hire / Position date | Training Record | Training Record | Training Record | Training Record |
|------|----------------|--|----------------------|-----------------|-----------------|-----------------|-----------------|
| Dale | Lab Tech 11 | Missing duties | 09/29/1986 | 2010 | 2011 | 2012 | 2013 |
| Jody | Finish Floater | Prepare manifests for shipping; sign manifests | 05/30/2006 | No Record | 2011 | 2012 | 2013 |

| | | | | | | | |
|--------|--|---|--------------------------|-----------|-----------|-----------|------|
| Brenda | Paint Prep and Inventory Control Tech | Missing duties | 04/15/2013 to 08/02/2013 | 2010 | 2011 | No record | 2013 |
| Adam | Paint Prep and Inventory Control Tech | Missing duties | 05/09/2012 | NA | NA | NA | 2013 |
| Stan | Environmental Health and Safety Manager | Job description and duties | 06/12/1995 | 2010 | No record | 2012 | 2013 |
| Wade | Venjakob Operator | Prepare hazardous waste manifest for shipping; signs manifest | 11/28/2005 | No record | No record | 2012 | 2013 |
| Nathan | Not recorded – Departed in 2011; recorded not required | Not recorded | Not recorded | 2010 | NA | NA | NA |
| Brian | Not recorded – Departed in 2011; recorded not required | Not recorded | Not recorded | 2010 | NA | NA | |

Closing Conference

We summarized the following issues identified during the inspection:

- Three drums that were not labeled or marked with the words, “Used Oil.”
- One satellite container requiring labeling or marking.
- Paint drain accumulation container and the closed container requirement.
- The accumulation start date and its relationship to satellite accumulation areas and less-than 90-day hazardous waste storage areas.
- Universal waste containers and the closed container requirement.
- Training records related to the hazardous waste management program.
- The missing parts of the contingency plan.

I again mentioned that Dura Supreme could make claims of CBI on the material copied, photographs, and information gathered during the inspection. Mr. Pauls did not make any CBI claims.

The inspection concluded at approximately 2:00 pm.

Attachments

- A. Checklist(s)
- B. Document(s) Copied

ATTACHMENT A

Checklist

Minnesota Pollution Control Agency

Report Title: Large Quantity Generator (LQG) Compliance Evaluation Inspection Checklist

Preferred ID: MND006454854 Regulated Party: Dura Supreme

Date: July 29, 2014 Inspector: Dan Chachakis

| G1: Licensing / EPA / Permits | | | |
|--------------------------------------|---|-------------------|-----------------------|
| Rule | Requirement | Compliance Status | Remarks |
| 7045.0221 | Has Regulated Party obtained a generator identification number? | IC | MND006454854 |
| 7045.1020 A | Metro Area - Does the Regulated Party have an approved license? | NAE | MPCA Evaluated Action |
| 7045.0225 1 | Outstate - Does the site have a current hazardous waste generator license? | NAE | MPCA Evaluated Action |
| 7045.0230 1, B | Outstate - Did the Regulated Party include all hazardous waste streams on its license application? | NAE | MPCA Evaluated Action |
| 7045.0225 2 | Is the Regulated Party's license displayed in a public area at the licensed site? | NAE | MPCA Evaluated Action |
| 7001.0520 1, A | Does the Regulated Party operate as a TSD without a permit? | IC | LQG |
| MS 116.48 1 | Are aboveground tanks >500 G registered with the MPCA? Are underground tanks registered with the MPCA? | NAE | MPCA Evaluated Action |
| G1: Waste Evaluation | | | |
| Rule | Requirement | Compliance Status | Remarks |
| 7045.0214 1 | Have wastes been evaluated within 60 days of the date they were initially generated? | IC | |
| 7045.0294 3 | Are test result records of waste analyses kept for 3 years from the last time the waste was sent to a TSDF (on- or off-site)? | IC | |

G1: General Management for Generators

| Rule | Requirement | Compliance Status | Remarks |
|-------------------|--|-------------------|---|
| 7045.0208 1 | Is hazardous waste properly disposed of? | IC | |
| 7045.0208 1, E | Does the Regulated Party comply with the POTW requirements for sewerage hazardous waste? | NA | Waste from operation NOT sewerage |
| 7045.0294 5 | Are the required records (<u>training</u> , analytical results, <u>inspection reports</u> , license renewal app, exception reports, manifests) located at the licensed site and available for inspection? | IC | |
| 7045.0568 1 | Have emergency response arrangements been made with local authorities and outside providers? (fire, police, local hospital, emergency responders) | IC | |
| 7045.0568 3 | Has the Regulated Party documented in its operating record the arrangements made with local emergency authorities? | IC | Letters from Hospital, Police & Fire |
| 7045.0655 3, A | If there is an elementary neutralization unit, a pretreatment unit and/or waste water treatment unit, does the owner or operator conduct timely inspections of the unit(s) for malfunction, deterioration, operator error and discharges? | NA | No wastewater Treatment |
| 7045.0655 3, B | If there is an elementary neutralization unit, a pretreatment unit and/or waste water treatment unit, does the Regulated Party follow a written inspection schedule for inspection of all monitoring equipment, safety and emergency equipment, security devices and operating and structural equipment? | NA | |
| 7045.0655 3, E | If there is an elementary neutralization unit, a pretreatment unit and/or waste water treatment unit, are all applicable inspection (and repair) records (logs) kept for at least 3 years and available on-site? | NA | |
| 7045.0845 | Does the Regulated Party properly manage used oil? | NC | 3 x drums not labeled, "Used Oil" |
| 7045.0895 4 | Has used oil accepted from or given to another business to be burned for energy recovery been tested to determine that it is on-specification? | NA | |

G1: General Management for Generators

| Rule | Requirement | Compliance Status | Remarks |
|----------------------|---|-------------------|---------|
| 7045.0855 4, C | Does the Regulated Party keep records of every shipment of used oil leaving the generator site for at least three years? | IC | |
| 7045.0805 | Does the Regulated Party properly manage used oil-contaminated waste? | NA | |
| 7045.0855 4, C | Does the Regulated Party keep records of every shipment of used oil-contaminated waste leaving the generator site for at least three years? | NA | |
| 7045.0990 | Is the Regulated Party properly managing used oil filters? | IC | |
| 7045.0990 3, C, 3 | Does the Regulated Party keep records of all used oil filters taken off-site by used oil-filter transporters for at least three years? | IC | |

G1: Preparedness & Prevention

| Rule | Requirement | Compliance Status | Remarks |
|-------------------|--|-------------------|---------|
| 7045.0566 2 | Is hazardous waste managed to prevent or minimize releases? | IC | |
| 7045.0566 3, A | Is a suitable alarm or communication system in place to provide emergency instructions to Regulated Party personnel? | IC | |
| 7045.0566 3, B | Is emergency communication equipment available to summon outside emergency responders? | IC | |
| 7045.0566 3, C | Is fire control equipment, decontamination equipment, and spill control equipment available? | IC | |

G1: Preparedness & Prevention

| Rule | Requirement | Compliance Status | Remarks |
|-------------------|---|-------------------|-------------------------------|
| 7045.0566 3, D | Is water available in adequate volume for fire control (i.e., firehose, sprinkler system and/or foam equipment) ? | IC | Spray |
| 7045.0566 4 | Is emergency equipment tested and maintained? | IC | |
| 7045.0566 5 | Does the Regulated Party provide all personnel involved in hazardous waste being poured, mixed, spread, or otherwise handled with immediate access to an internal alarm or emergency communication device? | IC | Phone & pull box outside door |
| 7045.0566 6 | Is aisle space adequate for emergency operations (like fire fighting, spill cleanup, etc)? | IC | |
| 7060.0600 2 | Has the Regulated Party discharged waste or pollutants to the unsaturated zone, through spills, dumping, sewerage or other means? | NA | No known/reported release |
| 7045.0275 2 | If the Regulated Party had a release to the environment did the Regulated Party immediately notify the agency? | NA | |
| 7045.0275 3 | If the Regulated Party has had a release, did the Regulated Party recover as rapidly and as thoroughly as possible, any HW that has leaked, spilled, or otherwise escaped a container? | NA | |
| 7045.0855 2, D | Upon detection of a release of used oil to the environment (not originating from a UST) did the Regulated Party stop the release, contain the released used oil, clean up and manage properly the released used oil and other materials contaminated with used oil, and repair or replace any leaking used oil storage equipment prior to returning it to service to prevent future releases? | NA | No known/reported release |

G1: Storage Requirements

| Rule | Requirement | Compliance Status | Remarks |
|-------------------|---|-------------------|--|
| 7045.0292 1, F | Are hazardous waste containers & tanks properly labeled with the words "Hazardous Waste" and a description that clearly identifies their contents to employees and emergency personnel? | IC | |
| 7045.0292 1, C | Are hazardous waste containers and tanks labeled with the waste accumulation start date and is it visible for inspection? OR Is the accumulation start date recorded in a clear and legible log for non-shipping containers or tanks? | IC | Note: may be using an incorrect date in storage area; fill date as opposed to start date |
| 7045.0292 1, A | Has the generator stored HW for more than 90 days beyond the waste accumulation start date? | IC | No |
| 7045.0292 1, D | Are hazardous waste storage areas (outdoors) protected from unauthorized access and inadvertent damage from vehicles & equipment? | NA | |
| 7045.0292 1, E | Are hazardous waste containers that hold free liquid placed on an impermeable containment surface? If outdoors, is the surface curbed? | IC | |
| 7045.0626 2, A | Are hazardous waste storage containers in good condition and leakproof? | IC | |
| 7045.0626 2, B | Are there suitable leakproof covers for the hazardous waste containers? | IC | |
| 7045.0626 3 | Are hazardous waste storage containers compatible with the waste stored in them? | IC | |
| 7045.0626 4 | Are hazardous waste storage containers closed? Are waste containers which can be degraded when exposed to moisture or sunlight covered by an overhead roof or other suitable covering that does not hide the labels? | IC | |
| 7045.0626 5 | Are weekly inspections of hazardous waste containers and their storage areas conducted AND documented? | IC | |

G1: Storage Requirements

| Rule | Requirement | Compliance Status | Remarks |
|---------------------|--|-------------------|---|
| 7045.0626 6 | Are incompatible wastes adequately separated? | NA | |
| 7045.0292 8, B,2 | Are satellite accumulation containers properly labeled with "Hazardous Waste" and a clear description of their contents? | NC | 1 container not labeled or marked |
| 7045.0292 8, C,2 | For satellite accumulation containers, if located away from the point of generation, are they inspected weekly, and are written records kept? | NA | Under control of the operator |
| 7045.0292 8, D,1 | For satellite accumulation containers, is fill date marked on the containers? | IC | |
| 7045.0292 8, D,2 | For satellite accumulation containers, are they moved within 3 days of fill date to storage area? | IC | |
| 7045.0855 2, C | If used oil is stored, is it stored in containers or tanks that are in good condition, stored on impermeable surfaces, kept closed, and labeled "Used Oil" (including tanks, containers and piping)? | NC | 3 x Containers used oil not marked or labeled |
| 7045.0855 2, C | Are wastes contaminated with used oil stored in containers or tanks that are in good condition, on impermeable surfaces, closed, and labeled "Used Oil" or "Used Oily Waste"? | NA | |
| 7045.0990 3, A | If used oil filters are stored, are they stored in containers that are closed, leakproof and labeled "Used Oil Filters"? | IC | |
| 273.14 (a) | Are universal waste batteries (each battery), or a battery storage container, labeled with: "Universal Waste-Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)"? | NC | One box, 4x batteries, not labeled |
| 273.13 (a) | Are universal waste batteries (lead acid, NiCad, etc) that show evidence of leakage, spillage, or damage stored in a closed, structurally sound, compatible container? | IC | |

G1: Storage Requirements

| Rule | Requirement | Compliance Status | Remarks |
|------------|--|-------------------|------------------------|
| 273.14 (e) | Are containers of universal waste lamps labeled with: "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"? | IC | |
| 273.13 (d) | Are universal waste lamps stored in closed containers that are structurally sound, adequate to prevent breakage, and compatible? Do containers lack evidence of leakage, spillage, or damage? | NC | Not closed 2x boxes |
| 273.13 (c) | Is mercury containing equipment stored in closed containers that are structurally sound, compatible with the contents of the device? Does the container lack evidence of leakage, spillage, or damage? | NA | |
| 273.14 (d) | Is mercury containing equipment (i.e. each device) or a container in which the equipment is contained labeled with: "Universal Waste - Mercury Containing Equipment," "Waste Mercury-Containing Equipment," or "Used Mercury -Containing Equipment"? | NA | |

G1: Manifests

| Rule | Requirement | Compliance Status | Remarks |
|----------------|--|-------------------|--|
| 7045.0261 1 | Are shipments of hazardous waste made without using a manifest? (exceptions for VSQGs) | IC | Using manifests |
| 7045.0261 7 | Do manifests contain ALL of the following?: Manifest document number, generator data, transporter data, facility data, waste data, required signatures & dates, and a 24 hour emergency number. (document problem manifests in remarks and Description of Violation) | NC | One manifest w/o wt/vol filled in: 067715216 FLE one Manifest date incorrect → (same) |
| 7045.0265 1, D | Have copies of manifests signed by the generator and transporter been sent to the MPCA within five working days of the initial transporter's acceptance of the waste? | IC | |
| 7045.0265 4, A | Have copies of manifests signed by the facility been sent to the MPCA within 40 days of the acceptance of the waste by the facility? | IC | |

G1: Manifests

| Rule | Requirement | Compliance Status | Remarks |
|----------------|--|-------------------|---------|
| 7045.0298 | If applicable, has the generator submitted to the MPCA an exception report for manifest copies not received back from the TSDF within 45 days of the date the waste was initially shipped? | NA | |
| 7045.0294 1 | Are signed facility copies of manifests available for review for 3 years from the date material was accepted by the initial transporter? | IC | |
| 7045.0302 1 | If Regulated Party exports hazardous waste, are all applicable rules being complied with? (notification, consent, EPA acknowledgement of consent, shipping papers or manifests, etc) | NA | |

G1: Land Disposal Restrictions

| Rule | Requirement | Compliance Status | Remarks |
|-------------------|--|-------------------|---------|
| 268.7 (a), (2) | For waste or contaminated soil that does not meet treatment standards, has the Regulated Party sent a one-time land disposal restriction notification to the receiving treatment or storage facility? Is a copy of the notification available at the Regulated Party's site? Have new notifications been sent when there are changes in waste streams and to any new receiving facilities? | IC | |

G1: Personnel Training

| Rule | Requirement | Compliance Status | Remarks |
|----------------|--|-------------------|-------------|
| 7045.0558 1 | Have employees that manage hazardous waste completed a hazardous waste training program? | IC | |
| 7045.0558 2 | Does the Regulated Party have a hazardous waste program director trained in hazardous waste management procedures? | IC | Stan Paul/s |
| 7045.0558 3 | Does the training program include hazardous waste management and emergency response procedures relevant to the positions held by facility personnel? | IC | |

G1: Personnel Training

| Rule | Requirement | Compliance Status | Remarks |
|-------------------|---|-------------------|--|
| 7045.0558 4 | Are new employees trained in hazardous waste management within 6 months of hire or transfer? | IC | |
| 7045.0558 5 | Is refresher training regarding the management of hazardous waste provided at least once per calendar year? | IC | |
| 7045.0558 6, A | Does the Regulated Party maintain training records which include a job title for each position at the facility related to hazardous waste? | IC | |
| 7045.0558 6, B | Do the records include a job description for each position related to hazardous waste? | IC | Update one for Print Rep & Ins Control |
| 7045.0558 6, C | Is a written description of the type and amount of training (initial & continuing) documented for each position related to hazardous waste? | NC | Need to add |
| 7045.0558 6, D | Has the Regulated Party kept records that document that the initial training and annual review training has been given? | IC | |
| 7045.0558 7 | Have training records been maintained for lifetime of facility (or 3 years after an employee leaves.)? | IC | |

G1: Contingency Plan

| Rule | Requirement | Compliance Status | Remarks |
|----------------|--|-------------------|---------|
| 7045.0572 2 | Does the Regulated Party have a contingency plan? | IC | |
| 7045.0574 1 | Does the Regulated Party have an Emergency Coordinator on-site or on-call, and does s/he have authority to act (commit resources?) | IC | |

G1: Contingency Plan

| Rule | Requirement | Compliance Status | Remarks |
|-------------------|--|-------------------|---|
| 7045.0572 4, A | Does the contingency plan specify employees' emergency response actions? | NC | Does not address the on-site emergency response team |
| 7045.0572 4, C | Does the plan describe arrangements agreed to with local emergency responders? | NC | But has info to put in plan |
| 7045.0572 4, D | Does the plan include up-to-date name, address and Home and Work phone numbers for emergency coordinators? | IC | |
| 7045.0572 4, E | Does the contingency plan include an up-to-date emergency equipment list? | IC | Needs to add capabilities w/ equipment |
| 7045.0572 4, F | Is there an evacuation plan for employees that includes signals used to begin evacuation, and primary and alternate evacuation routes? | NC | Not in plan |
| 7045.0572 5, A | Is a copy of the contingency plan maintained on-site? | IC | |
| 7045.0572 5, B | Have copies of the contingency plan been submitted to local authorities and emergency response teams? | IC | Letters from fire, Police & Hospital confirming receipt |
| 7045.0572 6 | Has the contingency plan been amended when necessary? (rule change, emerg. eqpt change, process change, emerg. coord. change, plan failed) | IC | Annually or so |

ATTACHMENT B
Document(s)

Dura Supreme Cabinetry

Website: www.durasupreme.com

Founded in 1950s

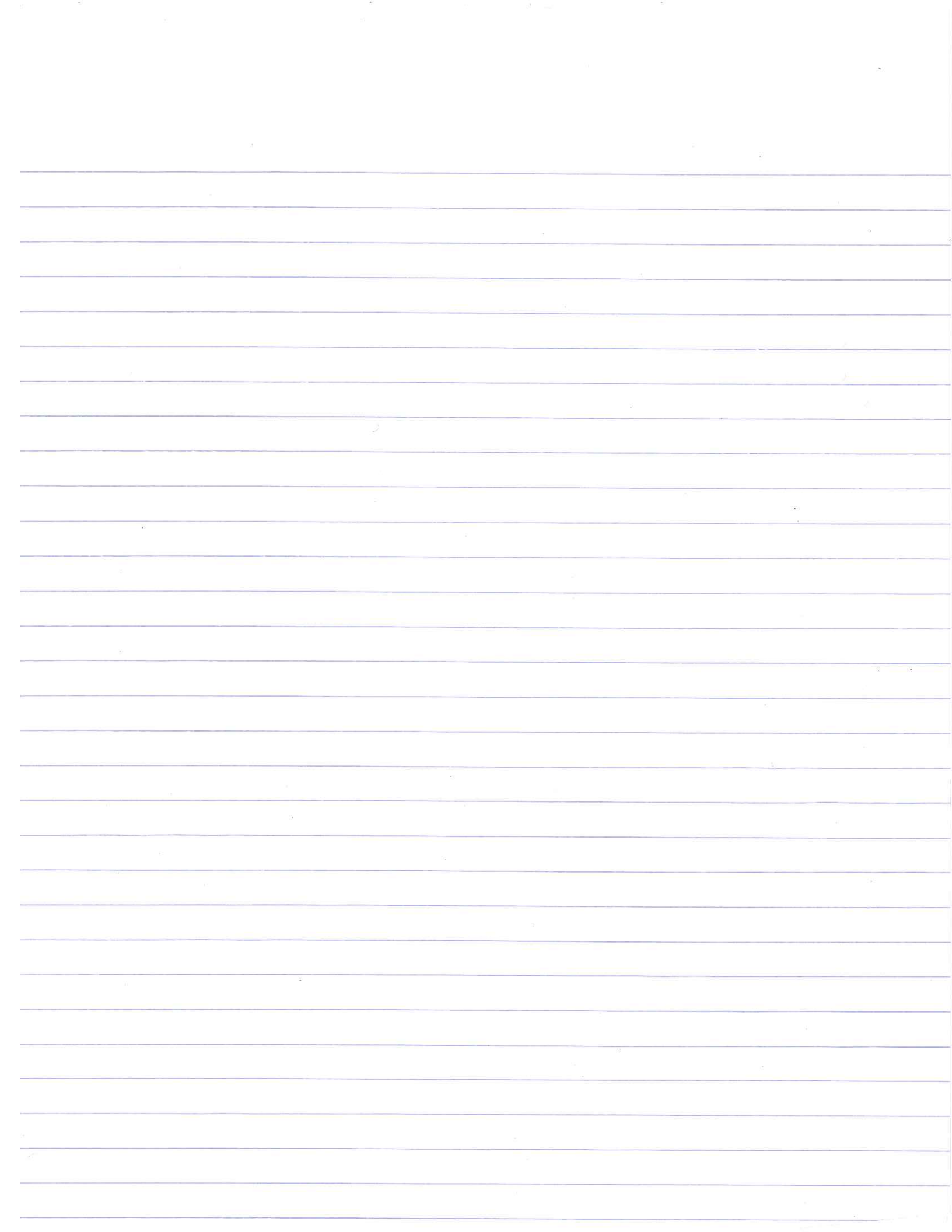
300 Dura Drive
Howard Lake, MN

Cabinetry

Employs ~ 400

220,000 sqft facility

- Recycle: plastic bottles, aluminum cans, paper, cardboard scrap + metal scrap
- On site solvent distiller
- VOCs
- Filtering + dust collection systems



General Handler Report

Report run on: July 24, 2014 - 9:01 AM

Page 4

*** WARNING *** Sensitive information may be displayed on this report. *** WARNING ***

| MINNESOTA | | | | | | | | | | REGION 05 | |
|------------------|--------------------------|--|--|-----------------------|--|----------------------------|---------------------------|-------------------------------|---|---------------------------|--|
| Handler ID | Handler Name | | | Location Address | | | Location City, State, Zip | | State District | County | |
| Contact Type | Contact Name(s) | | | Contact Address | | | Contact City, State, Zip | | Contact Phone / Fax / Email | | |
| MND006454854 | DURA SUPREME, INC. | | | 300 DURA DRIVE | | | HOWARD LAKE, MN 55349 | | WRIGHT / MN171 | | |
| BR/Notification: | STAN J PAULS | | | 300 DURA DRIVE | | | HOWARD LAKE, MN 55349 | | Phone: (320) 543-3872 ext. 259 Email: spauls@durasupreme.com | | |
| Biennial Report: | STAN J PAULS | | | | | | | | Phone: (320) 543-3872 ext. 259 Email: spauls@durasupreme.com | | |
| Implementer: | STAN J PAULS | | | 300 DURA DRIVE | | | HOWARD LAKE, MN 55349 | | Phone: (320) 543-3872 ext. 259 Email: spauls@durasupreme.com | | |
| Notification: | PERRY FAILS | | | 300 DURA DR | | | HOWARD LAKE, MN 55349 | | Phone: (320) 543-3872 | | |
| Universes: | Federal Generator: LQG | | | Transporter: N | | Onsite Burner Exempt: N | | Used Oil Transporter: N | | Used Oil Spec Marketer: N | |
| | State Generator: MN-1 | | | Transfer Facility: N | | Furnace Exemption: N | | Used Oil Transfer Facility: N | | Subpart K/College: N | |
| | Short Term Generator: N | | | Operating TSDF: ----- | | Underground Injection: N | | Used Oil Processor: N | | Subpart K/Hospital: N | |
| | Importer: N | | | Commercial TSDF: N | | HSM: N | | Used Oil Re-refiner: N | | Subpart K/Non-profit: N | |
| | Mixed Waste Generator: N | | | Recycler: Y | | Lg Qty Universal Waste: N | | Used Oil Off Spec Burnr: N | | Subpart K/Withdrawal: N | |
| | Active Flag: Y | | | | | UW Destination Facility: N | | Used Oil Fuel Marketer: N | | | |

* End of Report *



